

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 18 December 2015

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIME KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA WANDU
AND NARCISSE ARIDO***

**Public Document
with
Confidential Annexes A and B**

**Prosecution's Communication of Incriminatory Evidence and Rule 77 Material
Disclosed to the Defence on 18 December 2015**

Source: The Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor

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Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section Others

I. Notification

1. The Office of the Prosecutor (“Prosecution”) submits this Communication Report regarding incriminating evidence and rule 77 material disclosed to the Defence teams of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu, and Narcisse Arido on 18 December 2015.

II. Confidentiality

2. The Prosecution requests that annexes A and B appended to this Report be received as “Confidential”, as they relate to material disclosed *inter partes* that should not be released to the public.

III. Disclosure of evidence

3. *Confidential* Annex A to this filing lists the disclosed incriminating evidence, comprising four transcripts and translations, which are re-disclosed due to corrections.¹

4. *Confidential* Annex B to this filing lists the disclosed rule 77 material, which comprises a total of 30 documents: (i) 15 annexes to the Independent Counsel report, available to the Defence since 24 July 2015;² (ii) two witness expenses related to P-0285 and P-0431;³ (iii) six emails seized from Arido’s email account are disclosed for

¹ Transcript and translation of audio CAR-OTP-0074-0276 and CAR-OTP-0079-0338.

² ICC-01/05-01/13-1047-Conf-Anx3-Red; ICC-01/05-01/13-1047-Conf-Anx4-Red; ICC-01/05-01/13-1047-Conf-Anx5; ICC-01/05-01/13-1047-Conf-Anx8-Red; ICC-01/05-01/13-1047-Conf-Anx9; ICC-01/05-01/13-1047-Conf-Anx10; ICC-01/05-01/13-1047-Conf-Anx11; ICC-01/05-01/13-1047-Conf-Anx12; ICC-01/05-01/13-1047-Conf-Anx13-Red; ICC-01/05-01/13-1047-Conf-Anx14; ICC-01/05-01/13-1047-Conf-Anx15; ICC-01/05-01/13-1047-Conf-Anx16; ICC-01/05-01/13-1047-Conf-Anx17; ICC-01/05-01/13-1047-Conf-Anx18; ICC-01/05-01/13-1047-Conf-Anx19.

³ CAR-OTP-0084-0133; CAR-OTP-0090-1866.

the sake of completeness, as their respective attachments were previously disclosed to the Defence; (iv) three chain of custody documents;⁴ (v) three documents related to D-0007; (vi) one document related to the Belgian law on the ICC;⁵ and (vii) one document related to Arido's 17 January 2014 statement.⁶



Fatou Bensouda, Prosecutor

Dated this 18th Day of December 2015
At The Hague, The Netherlands

⁴ CAR-OTP-0072-0148 is chain of custody to Arido's seized materials; CAR-OTP-0073-0536 is chain of custody to document CAR-OTP-0073-0537; CAR-OTP-0074-0825 is chain of custody to Western Union records received in response to the Prosecutor's request for assistance, references CAR-OTP-0091-0360, disclosed to the Defence on 5 October 2015.

⁵ CAR-OTP-0072-0227.

⁶ CAR-OTP-0078-0126; Arido's statement: CAR-OTP-0077-0169.